

**AIR POLLUTION CONTROL REGULATION NO. 4**

**OPEN FIRES**

Effective 2 August 1967

Last Amended 16 March 1982

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF AIR RESOURCES  
AIR POLLUTION CONTROL REGULATION NO. 4**

**OPEN FIRES**

1. Open Fires

4.1 Definitions

As used in these regulations, the following terms shall, where the context permits, be construed as follows:

- 4.1.1 "Open fire," means any fire from which the products of combustion are emitted directly into the open air without passing through a stack.
- 4.1.2 "Solid waste management facility" means any plant, structure, equipment and other real and personal property acquired, constructed or operated for the purpose of processing, treating or disposing of solid wastes but not segregated solid waste.
- 4.1.3 "Hazardous waste disposal facility" means real and personal property acquired, constructed or operated for the purpose of the disposal of hazardous waste.

4.2 Prohibition

It shall be unlawful for any person to burn any material in an open fire at a solid waste management facility and/or hazardous waste disposal facility or in connection with any salvage, industrial, commercial or institutional operation.

4.3 Exemptions

The following shall not be subject to this regulation:

- (a) Open burning for weed abatement or pest control after receiving written approval from the Director.
- (b) Bonfires composed of clean, untreated wood or cellulose derivatives for festive occasions conducted by an institution.
- (c) Open burning of solid or liquid fuels or structures for the purpose of instruction and training of municipal, volunteer and industrial firefighters in the methods of fighting fires when conducted under the direct control and supervision of qualified instructors after receiving written approval from the Director.

(d) Open burning of combustible material after demonstration to the satisfaction of the Director that no alternative and practical method of disposal of said material is available. Alternative disposal methods may include chipping, cutting for forest products, landfilling, piling for protective cover for wildlife and others. Persons wishing to burn must receive written approval from the Director and demonstrate that approval has been granted by the municipality in which burning is to take place. Such burning must be conducted:

(1) during periods of good atmospheric ventilation.

(2) without causing a nuisance.

(3) With smoke minimizing starters if starters or starting aids are used.

#### 4.4 Effect on Local Ordinances

This regulation does not preclude a municipality from prohibiting or attaching any more stringent conditions to any open burning.